

## REMARKS

The Office Action mailed 20 August 2007, has been received and its contents carefully noted. The pending claims, claims 1, 9-15, 19, 31, 39-41, 43, 50, 62-64, 79 and 80, were rejected. By this Response, claims 1, 9, 13, 14, 15, 19, 31, 43, 50, 62-64 and 79-80 have been amended. Support may be found in the specification and the claims as originally filed. No statutory new matter has been added. Therefore, reconsideration and entry of the claims, as amended, are respectfully requested.

### Objection to the Drawings

The Examiner objected to Figure 14 for including reference numeral 1406 and Figure 17 for lacking reference numeral 1712 and attaching reference numerals 1702-1710 to incorrect parts of the drawing.

Applicants respectfully submit that the Replacement Sheets attached herewith alleviate the objection to the drawings. Specifically, in Figure 14, Figure 14, reference numeral 1406 and been deleted and in Figure 17, reference numeral 1712 is added and reference numerals 1702-1710 are associated with the correct parts of the drawing.

No statutory new matter has been added by the Replacement Sheets submitted herewith. Therefore, the objection to drawings should properly be withdrawn.

### Claim Rejections

The Examiner rejected claims 1, 10, 31, 40, 50 and 79 under 35 U.S.C. 102(e) as being anticipated by US 2001/0033298 to Slotnick. The Examiner rejected claims 19, 43, 64 and 80 under 35 U.S.C. 102(e) as being anticipated by US 6910186 to Kim. The Examiner rejected claims 9, 13 to 15, 39 and 62 to 63 as being unpatentable under 35 U.S.C. 103(a) in view of Kim in combination with Slotnick. The Examiner also rejected claims 11, 12 and 41 as being unpatentable under 35 U.S.C. 103(a) in view of Slotnick in combination with US 2004/0030741 (Wolton).

Applicants respectfully submit that the present invention, as claimed, is directed to:

- a. determining an identification of said sender of said IM from said IM;
- b. sending a request to a character server with said identification of said sender;

- c. receiving from said character server an animated character associated with said sender.

Applicants respectfully submit that the claims, as amended, are novel and unobvious over Slotznick and Kim. Specifically, the claims have been amended to feature a character server that is separate from both the sender and receiver. Neither Slotznick nor Kim teach or suggest the character server for providing an animated character according to the present invention as claimed.

Specifically, Slotznick merely discloses a system in which automatic software “chatterboxes” create and respond to messages. The messages are sent by the “chatterboxes” and these messages incorporate “hidden messages including instructions for controlling the animated image of a software controlled agent”. See paragraphs 22, 35 and 58.

Slotznick, however, does not teach or suggest, any character server with which the sender and recipient communicate. Instead, Slotznick teaches that all information regarding any animation is included within the message and, in effect, all necessary information is sent by the sender to the recipient(s).

Kim relates to use of “organisational avatars”. Although there is some discussion of animation, this disclosure in Kim relates to the users “directly” controlling the movement of the avatar, i.e. mouse movements or the like on the user’s computer causes movement of the avatar of other participant’s computers. Kim, however, does not teach or suggest a character server for providing animated characters according to the present invention.

Since Slotznick and Kim, alone or in combination, do not teach or suggest a character server that receives requests for an animated character from the recipient and delivers the animated character to the recipient, the claimed invention is novel and unobvious. Applicants respectfully submit that Wolton does not alleviate the deficiencies of Slotznick, alone or in combination with, Kim. Wolton does not teach or suggest the character server according to the present invention.

Therefore, the rejections under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) should properly be withdrawn.

**Request for Interview**

Applicants respectfully request either a telephonic or an in-person interview should there be any remaining issues.

**CONCLUSION**

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Therefore, it is respectfully requested that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefor are hereby authorized to be charged to **Deposit Account No. 02-4300, Attorney Docket No. 034164.002**.

Respectfully submitted,  
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Date: February 20, 2008

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